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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLUWAFEMI AGBAYEWA,

Defendant.

CASE NO. 2:21-CR-0234 TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 16, 2021
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on December 16, 2021.
2. By this stipulation, defendant now moves to continue the change of plea hearing until January 27, 2022, and to exclude time between December 16, 2021, and January 27, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and financial records, totaling approximately 12,000 pages. Additionally, electronic discovery is made available for defense attorney review at the Federal

1 Bureau of Investigation's Sacramento office. All of this discovery has been either produced
2 directly to counsel and/or made available for inspection.

3 b) Counsel for defendant desires additional time to consult with her client and to
4 review the discovery produced. Additionally, the fire near the Sacramento federal courthouse on
5 December 14, 2021, and the continuing power outage at the courthouse, provide just reasons to
6 continue this hearing. Finally, counsel for defendant has scheduling conflicts with respect to
7 traveling to Sacramento on Thursdays in January.

8 c) Counsel for defendant believes that failure to grant the above-requested
9 continuance would deny her the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of December 16, 2021 to January 27,
17 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
18 T4] because it results from a continuance granted by the Court at defendant's request on the basis
19 of the Court's finding that the ends of justice served by taking such action outweigh the best
20 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 15, 2021

PHILLIP A. TALBERT
Acting United States Attorney

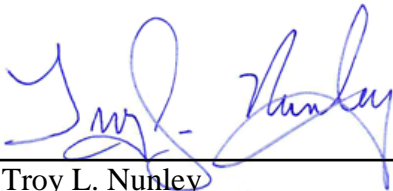
/s/ CHRISTINA McCALL
CHRISTINA McCALL
Assistant United States Attorney

Dated: December 15, 2021

/s/ Nancy Kardon
Nancy Kardon
Counsel for Defendant
OLUWAFEMI AGBAYEWA

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 16th day of December, 2021.



Troy L. Nunley
United States District Judge